

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-02999-BNB

TIMOTHY DOYLE YOUNG,

Plaintiff,

v.

UNITED STATES,

Defendant.

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

JAN 06 2010

GREGORY C. LANGHAM
CLERK

ORDER DIRECTING PLAINTIFF TO CURE DEFICIENCIES

Plaintiff, Timothy Doyle Young, a federal prisoner currently housed in the State of Colorado, originally filed a Civil Complaint in the United States District Court for the Northern District of Illinois. The Northern District of Illinois determined that venue in the instant action properly lies in the United States District Court for the District of Colorado and entered an order that transferred the action to this Court.

As part of this Court's review pursuant to D.C.COLO.LCivR 8.2, this Court has determined that the submitted documents are deficient as described in this Order. Plaintiff will be directed to cure the following if he wishes to pursue his claims. Any papers which Plaintiff files in response to this Order must include the civil action number on this Order.

Mr. Young is further instructed to include a certified copy of his trust fund account statement. If Plaintiff intends to assert that he is not able to obtain a certified account statement he must include copies of the requests that he submitted to the

appropriate prison staff member or department for certified copies but were returned to him denied.

28 U.S.C. § 1915 Motion and Affidavit:

- (1) is not submitted
- (2) is missing affidavit
- (3) is missing certified copy of prisoner's trust fund statement for the 6-month period immediately preceding this filing
- (4) is missing required financial information
- (5) is missing an original signature by the prisoner
- (6) is not on proper form (must use the Court's current form)
- (7) Names in caption do not match names in caption of complaint, petition or habeas application
- (8) An original and a copy have not been received by the Court.
Only an original has been received.
- (9) Other: Motion is necessary only if filing fee is not paid in advance.

Complaint, Petition or Application:

- (10) is not submitted
- (11) is not on proper form (must use the Court's current form)
- (12) is missing an original signature by the prisoner
- (13) is missing page nos.
- (14) Uses et al. instead of listing all parties in caption
- (15) An original and a copy have not been received by the court. Only an original has been received.
- (16) Sufficient copies to serve each defendant/respondent have not been received by the court.
- (17) Names in caption do not match names in text
- (18) Other _____

Accordingly, it is

ORDERED that Plaintiff cure the deficiencies designated above **within thirty days from the date of this Order**. Any papers which Plaintiff files in response to this order must include the civil action number on this Order. It is

FURTHER ORDERED that the Clerk of the Court mail to Plaintiff, together with a copy of this Order, two copies of the following forms: Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. §1915 and a Prisoner Complaint. It is

FURTHER ORDERED that if the Plaintiff fails to cure the designated deficiencies **within thirty days from the date of this Order** the Complaint and the action will be dismissed without further notice.

DATED January 6, 2010, at Denver, Colorado.

BY THE COURT:

s/ Boyd N. Boland
United States Magistrate Judge

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

CERTIFICATE OF MAILING

Civil Action No. 09-cv-02999-BNB

Timothy Doyle Young
Reg. No. 60012-001
ADX – Florence
PO Box 8500
Florence, CO 81226

I hereby certify that I have mailed a copy of the **ORDER and two copies of the Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. §1915 and Prisoner Complaint forms** to the above-named individuals on 1/6/10.

GREGORY C. LANGHAM, CLERK

By: 

Deputy Clerk